

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of moldy berries.

**DISPOSITION:** February 23, 1950. Default decree of condemnation and destruction.

**15780. Adulteration of canned black raspberries. U. S. v. 161 Cases \* \* \***  
(and 3 other seizure actions). (F. D. C. Nos. 27950, 28417, 28558, 28617.  
Sample Nos. 50759-K, 50780-K, 50798-K, 55300-K.)

**LIBELS FILED:** November 1 and December 6 and 14, 1949, District of Montana,  
and January 4, 1950, District of Nebraska.

**ALLEGED SHIPMENT:** On or about July 21, August 30, and October 1, 1949, by  
Michigan Fruit Cannery, Inc., from South Haven, Mich., and Benton Harbor,  
Mich.

**PRODUCT:** Black raspberries. 181 cases, each containing 24 15-ounce cans, at  
Butte, Mont.; 5 cases, each containing 24 15-ounce cans, at Bozeman, Mont.;  
and 46 cases, each containing 24 1-pound, 4-ounce cans, at Beatrice, Nebr.

**LABEL, IN PART:** (Can) "Rustic Brand Michigan Black Raspberries" and  
"Climber Michigan Black Raspberries."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted  
in whole or in part of (Montana lots) a decomposed substance by reason  
of the presence of moldy raspberries and (Nebraska lot) decomposed raspberry  
material.

**DISPOSITION:** The shipper having appeared as claimant for the Montana lots  
and having obtained samples of the seized goods, but having subsequently  
withdrawn its appearance, the court, on March 23, 1950, condemned these lots  
and ordered them delivered to a State institution, for use as animal feed,  
after denaturing under the supervision of the United States marshal.

On March 22, 1950, no claimant having appeared for the Nebraska lot, judgment of condemnation and destruction was entered.

#### DRIED FRUIT

**15781. Adulteration of dried dates. U. S. v. 32 Cases \* \* \*. (F. D. C.**  
No. 28415. Sample No. 50786-K.)

**LIBEL FILED:** December 10, 1949, District of Montana.

**ALLEGED SHIPMENT:** On or about September 15, 1949, by Long's Date Gardens,  
from Pasadena, Calif.

**PRODUCT:** 32 cases, each containing 24 14-ounce baskets, of dried dates at  
Billings, Mont.

**LABEL, IN PART:** "Long's Hydrated Dates from California."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in  
whole or in part of a filthy substance by reason of the presence of insects; and,  
Section 402 (a) (4), it had been prepared under insanitary conditions whereby  
it may have become contaminated with filth.

**DISPOSITION:** March 31, 1950. Default decree of condemnation and destruction.

**15782. Adulteration of prunes. U. S. v. Hudson-Duncan & Co. Plea of nolo**  
contendere. Fine, \$750. (F. D. C. No. 24830. Sample No. 36613-K.)

**INDICTMENT RETURNED:** November 1, 1948, District of Oregon, against Hudson-  
Duncan & Co., a corporation, Dundee, Oreg. The indictment alleged that the  
defendant knowingly and feloniously caused a quantity of prunes to be  
introduced and delivered for introduction into interstate commerce.

**ALLEGED SHIPMENT:** On or about November 21, 1947, from the State of Oregon into the State of Washington.

**LABEL, IN PART:** "Stadium Brand Medium Packed for Pacific Sales Tacoma Wash."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of insects, insect fragments, and rodent hairs; and, Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** January 5, 1949. A plea of nolo contendere having been entered, the court imposed a fine of \$750.

**15783. Adulteration of raisins. U. S. v. 330 Cartons \* \* \* (and 1 other seizure action).** (F. D. C. Nos. 26273, 26274. Sample Nos. 7258-K, 7259-K.)

**LIBELS FILED:** January 10, 1949, Western District of New York.

**ALLEGED SHIPMENT:** (Portion of product) on or about August 13, 1948, from Pittsburgh, Pa., and (remainder of product) on or about October 13, 1948, from San Francisco, Calif.

**PRODUCT:** Raisins. 330 30-pound cartons and 94 30-pound cartons at Buffalo, N. Y.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insects. The product was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** February 16, 1949. The Hall Baking Co., Buffalo, N. Y., claimant, having consented to the entry of decrees, judgments of condemnation were entered and the court ordered the product released under bond, conditioned that the unfit portion be segregated and destroyed under the supervision of the Food and Drug Administration. Of the goods seized, 219 boxes were destroyed and the remainder were released.

### VEGETABLES

**15784. Adulteration of canned corn. U. S. v. 950 Cases \* \* \*. (F. D. C. No. 28441. Sample No. 61181-K.)**

**LIBEL FILED:** December 12, 1949, Eastern District of Illinois.

**ALLEGED SHIPMENT:** On or about October 11, 1949, by the Lancaster Canning Co., from Lancaster, Wis.

**PRODUCT:** 950 cases, each containing 24 1-pound, 4-ounce cans, of corn at East St. Louis, Ill.

**LABEL, IN PART:** (Can) "Iona White Sweet Corn Cream Style."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of worms and worm parts.

**DISPOSITION:** February 1, 1950. Default decree of condemnation. The court ordered that the product be disposed of by private sale and to be used for feeding animals only, under supervision, or in the event that it could not be sold under such conditions, that it be destroyed.